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*Attorneys for Defendant
Southwest Meadows Homeowners Assoc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BANK OF AMERICA, N.A., SUCCESSOR
BY MERGER TO BAC HOME LOANS
SERVICING, LP, F/K/A COUNTRYWIDE
HOME LOANS SERVICING LP,

Plaintiff,

v.

SOUTHWEST MEADOWS; LVDG LLC
A/K/A LVDG LLC SERIES 1101;
THUNDER PROPERTIES, INC.; ALESSI
& KOENIG, LLC,

Defendants.

CASE NO.: 3:16-cv-00183-MMD-VPC

**STIPULATION AND ORDER TO
WITHDRAW ALL EXCEPT THREE
LEGAL ARGUMENTS RAISED IN
DEFENDANT SOUTHWEST
MEADOWS' MOTION TO DISMISS
(ECF NO. 21)**

Plaintiff BANK OF AMERICA, N.A., and Defendant SOUTHWEST MEADOWS,
by and through their respective counsel, hereby agree and stipulate as follows:

IT IS HEREBY AGREED AND STIPULATED, that all the grounds for dismissal
raised by Southwest Meadows in its Motion to Dismiss filed on June 10, 2016 (ECF No.
21), are hereby **withdrawn**, without prejudice, except for the following legal arguments:

- A. Plaintiff's Claims Regarding Liability Under NRS Chapter 116 are Barred
by the Statute of Limitations;
- B. Plaintiff's Claims Are Barred by the Doctrine of Laches; and

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1 C. Plaintiff's Failure to Mediate Its Claims Compels Dismissal of the
2 Complaint Pursuant to Nevada Revised Statutes, Section 38.310(2)

3 The parties have good cause for requesting the withdrawal of all other arguments
4 raised by Southwest Meadows in its this Motion to Dismiss, except for the above-
5 enumerated remaining legal arguments. This is the parties' way of limiting the issues to
6 aid in the expeditious litigation of this case.

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The parties have entered into the agreement in good faith and not for purposes of delay. This is the parties' first request concerning Defendant's Motion to Dismiss.

DATED this 12th day of July, 2016.

Dated this 12th day of July, 2016.

AKERMAN, LLP

LIPSON, NEILSON, COLE, SELTZER &
GARIN PC

By: /s/ Allison R. Schmidt
Melanie D. Morgan, Esq.
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By: /s/ Megan H. Hummel
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Meadows Homeowners Assoc.*

ORDER

IT IS SO ORDERED.

Dated: July 14, 2016



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

Respectfully Submitted by:

LIPSON, NEILSON, COLE, SELTZER & GARIN, P.C.

By: /s/ Megan H. Hummel
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